
NEWS From:

Congressman Mike Honda

FIFTEENTH DISTRICT - CALIFORNIA



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Reps. Honda & Ferguson Introduce Bill to Prevent Child Choking Deaths and Injuries

WASHINGTON, July 17, 2003 — Today, **Reps. Mike Honda** (D-CA) and **Mike Ferguson** (R-NJ) introduced the bi-partisan “Food Choking Prevention Act of 2003” in the U.S. Congress. This legislation would require the Food and Drug Administration (FDA) to create an office to investigate food products that have been associated with unusual choking incidents, and determine whether they pose significant choking risks to children.

“Many more children would be alive today if the choking hazard posed by ‘gel candies’ and other foods marketed to children were investigated quickly and pulled from store shelves,” said **Rep. Honda**. “While we have a great system in place to warn parents of choking hazards posed by toys, the FDA’s oversight of food choking hazards is ineffective. This legislation will give the FDA the tools they need to save lives and prevent tragedies.”

According to the nonprofit food advocacy group, the **Center for Science in the Public Interest (CSPI)**, one child dies from choking on food every five days in the U.S., and more than 10,000 children are taken to hospital emergency rooms for food choking injuries annually.

Since 1999, at least two children from the San Francisco Bay Area have died as a result of choking on “gel candies” while another child has been permanently paralyzed from choking on similar treats. However, there are no accurate statistics on the total number of deaths or injuries that result from food choking hazards as there is no adequate reporting system.

“A simple notice instructing a parent to chop food into small pieces or refrain from serving certain foods to small children could save many kids’ lives,” said **Bruce Silverglade**, **CSPI** director of legal

affairs. “This is such an easy way to prevent so many tragic deaths and injuries.”

Dr. Gary Smith, director of the **Center for Injury Research and Policy at Columbus Children's Hospital**, co-authored a major study on food choking hazards in 1984. “It is remarkable that almost 20 years after our study was published, more has not been done to protect children from the foods that could kill or injure them,” he said. “Requiring safety labels that inform parents how to serve certain foods to children under age five is a modest first step toward reducing the number of young children who die each year from choking on food. The U.S. Consumer Product Safety Commission has labeling requirements for toys that pose a choking hazard to young children, yet what is more likely to go into a child’s mouth, a toy or food?”

When experts at FDA and the Consumer Product Safety Commission (which analyzes toy choking hazards) finally investigated “gel candies,” they determined that the ingredients, shape, and consistency of the candies made them a significant choking risk for children, as the candies “might easily slip into the back of the throat in an intact plug-like form ... and would not readily dissolve.” The FDA waited more than 2 ½ years after learning the candies might be deadly before taking steps to remove them from store shelves; during that time multiple children died.

The “Food Choking Prevention Act” would:

- Create an Office of Choking Hazard Evaluation within the FDA;
- Grant the FDA authority to require informational labels on foods that pose high choking risk to children;
- Grant the FDA mandatory recall authority for foods that pose an unacceptable choking hazard;
- Require the FDA to establish a national database of unusual food choking incidents.